

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25165 of 2016

Arising Out of PS.Case No. -30 Year- 2016 Thana -BOCHHA District- MUZAFFARPUR

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1. Abhiram Singh
2. Niranjan Singh Both Sons of late Ram Chandra Singh Resident of
Village - Gharbhara, PS Bachaha, District Muzaffarpur.
..... Petitioner/s

Versus

1. The State of Bihar
..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Adv.
For the Opposite Party/s : Mr. Murlidhar (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 20-08-2016

Heard both sides.

The petitioners apprehend their arrest in Bochahan P.S.
Case No. 30/2016, registered for the offences punishable under
Sections 302/34 of the Indian Penal Code.

The informant alleged that when he came to know from
the villagers that his father was murdered at Saraswati Vidya
Mandir Chowk, he went there and saw his father lying bearing
injury on his head. The informant suspected that the petitioners,
namely Abhiram Singh, Sukhnandan Singh, Abhinandan Singh
and Niranjan Singh killed his father.

Learned counsel for the petitioners submits that the
informant is not an eye-witness of the occurrence. Name of the
petitioners figured in the case on mere suspicion. During course of

investigation, Ashok Singh, as appears from para 31, came before the police as an eye-witness of the occurrence and disclosed that both the petitioners had caught the deceased and Sukhnandan Singh and Abhinandan Singh assaulted the deceased with *dabia* causing his death.

It is submitted that Sukhnandan Singh and Abhinandan Singh have already been granted regular bail vide order dated 14.07.2016 passed in Cr. Misc. No. 27865/2016.

It is submitted that Ashok Singh made his statement after many days of the occurrence and there is no reason that he did not come before the police immediately after the occurrence. Ashok Singh is only an eye-witness of the occurrence. Petitioners are only alleged to have caught the deceased and the assailants of the deceased have already been enlarged on bail.

Considering the facts aforesaid, I am not inclined to enlarge the petitioners above named on anticipatory bail. Accordingly, the same is rejected.

The petitioners, if so advised, may surrender before the court below within four weeks from the date of receipt/production of a copy of this order and pray for regular bail and their prayer shall be considered taking in to consideration that Sukhnandan Singh and Abhinandan Singh who are alleged to have inflicted

dabia blow to the deceased have already been granted bail vide order passed in Cr. Misc. No. 27865/2016 and dispose of the bail petition of the petitioner.

(Prabhat Kumar Jha, J.)

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